

MEMORANDUM

October 22, 1970

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: John D. Warner, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Re: Petition No. Z-2030
Saul Feldman
1117-1123 Commonwealth Ave.
Allston

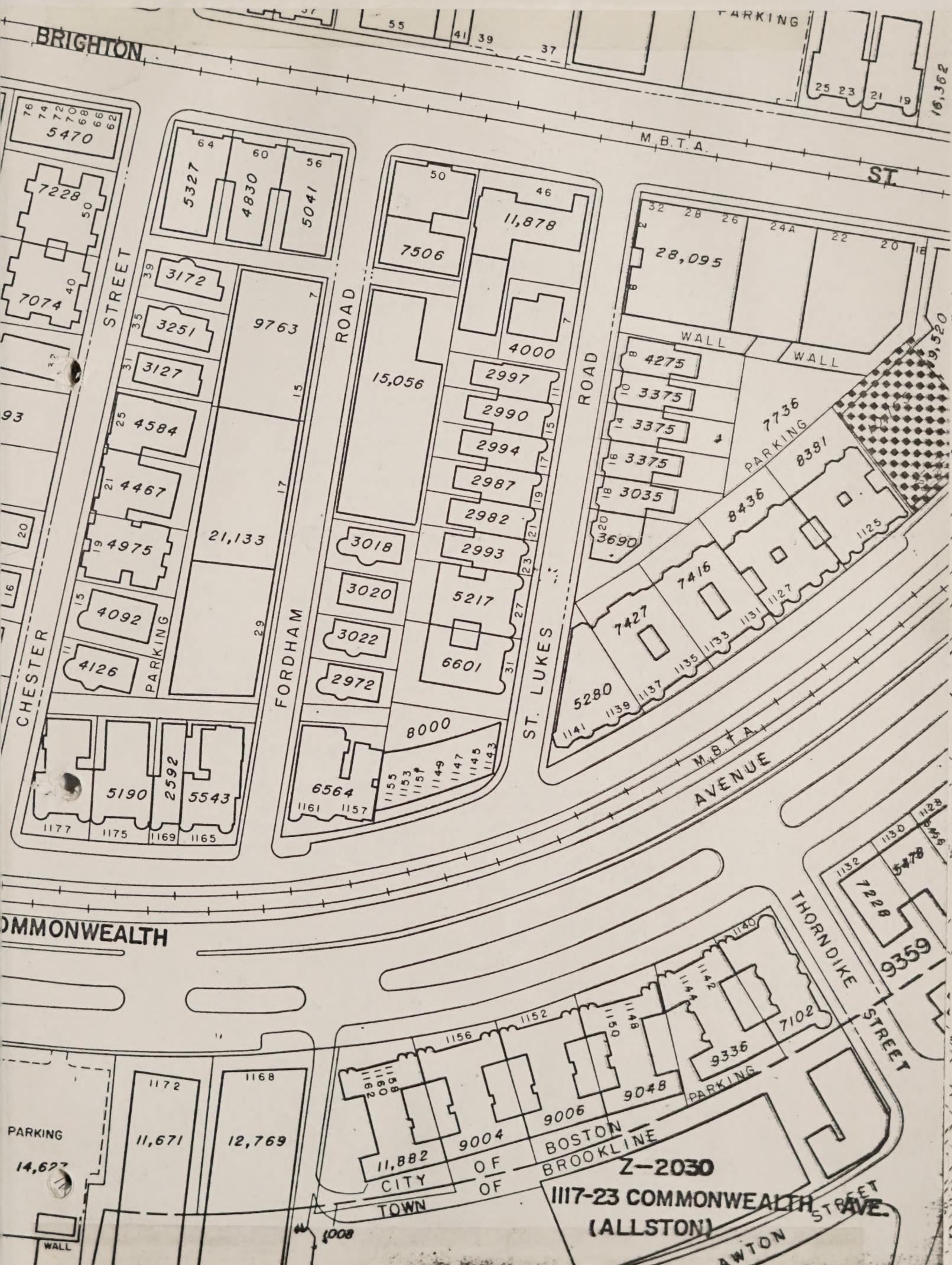
Petitioner seeks a change in a non conforming use and a variance for a change of occupancy from radio and auto repair to three theaters in an apartment (H-2) and a general business (B-2) district. The proposal would violate the code as follows:

| | <u>Req'd</u> | <u>Proposed</u> |
|---------------|--|-----------------|
| Section 9-2. | A change in a non conforming use requires a Board of Appeal hearing. | |
| Section 23-2. | Off street parking is insufficient. | 126 spaces 0 |

The property, located on Commonwealth Avenue near the intersection of Brighton Avenue, contains a one story brick commercial structure. The proposed theater complex would consist of a stage production theater and two small movie theaters with a total capacity of 1009 seats.

The proposal would be an undesirable use for this area and would greatly intensify the already overloaded parking and traffic situation found in this area. Recommend denial.

VOTED: That in connection with Petition No. Z-2030, brought by Saul Feldman, 1117-1123 Commonwealth Avenue, Allston, for a change in a non conforming use and a variance for a change of occupancy from radio and auto repair to three theaters in an apartment (H-2) and a general business (B-2) district, the Boston Redevelopment Authority recommends denial. The proposal would be an undesirable use for this area and would greatly intensify the already overloaded parking and traffic situation found in this area.



Board of Appeal 10/22/70

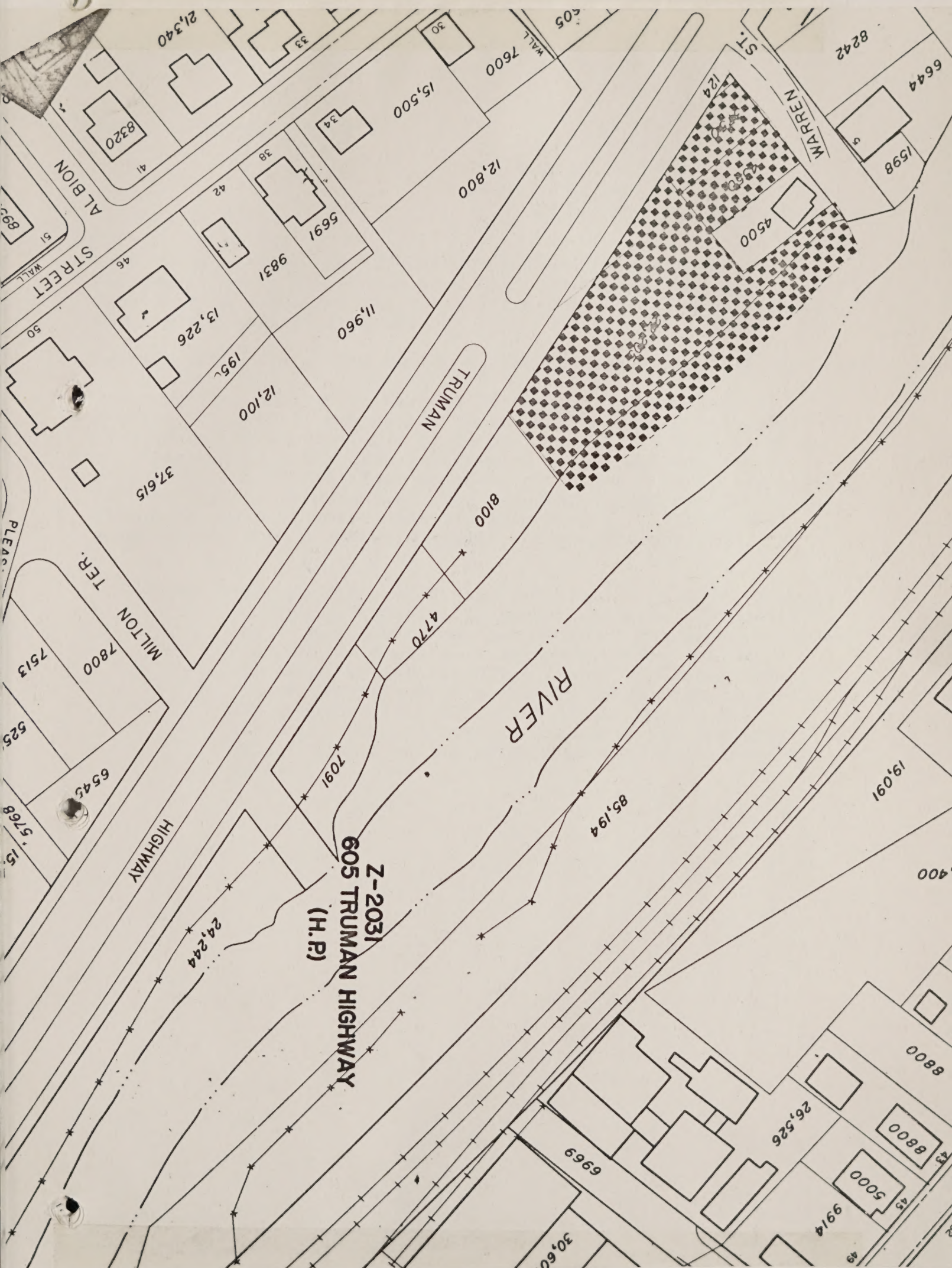
Petition No. Z-2031
Thomas Geraghty
605 Truman Highway, Hyde Park

Petitioner seeks four variances to erect a four story 55 unit apartment building in a residential (R-.8) district. The proposal would violate the code as follows:

| | <u>Req'd</u> | <u>Proposed</u> |
|--|----------------------|----------------------|
| Section 10-1. Parking not allowed within the required front yard | | |
| Section 14-2. Lot area for additional dwelling unit is insufficient. | 1500 s.f/du | 1128 s.f/du |
| Section 15-1. Floor area ratio is excessive. | 0.8 | 0.9 |
| Section 16-1. Height of building is excessive. | 3 stories 35 feet | 4 stories 40 feet |

The property, located on Truman Highway at the intersection of Warren Avenue, contains 65,949 square feet of vacant land. The submitted development plan is inappropriate. The entire site would be covered by the building or by surface parking. The proposed usable open space provided in the plan cannot be utilized as it is steep sloped and partially under water. The proposed apartment structure would be poorly sited, proximate to Truman Highway. No concern whatever has been given to abutting residences. Recommend denial.

VOTED: That in connection with Petition No. Z-3031, brought by Thomas Geraghty, 605 Truman Highway, Hyde Park, for four variances to erect a four story 55 unit apartment building in a residential (R-.8) district, the Boston Redevelopment Authority recommends denial. The submitted development plan is inappropriate. The entire site would be covered by the building or by surface parking. The proposed usable open space provided in the plan cannot be utilized as it is steep sloped and partially under water. The proposed apartment structure would be poorly sited, proximate to Truman Highway. No concern whatever has been given to the abutting residences.



Board of Appeal 10/22/70

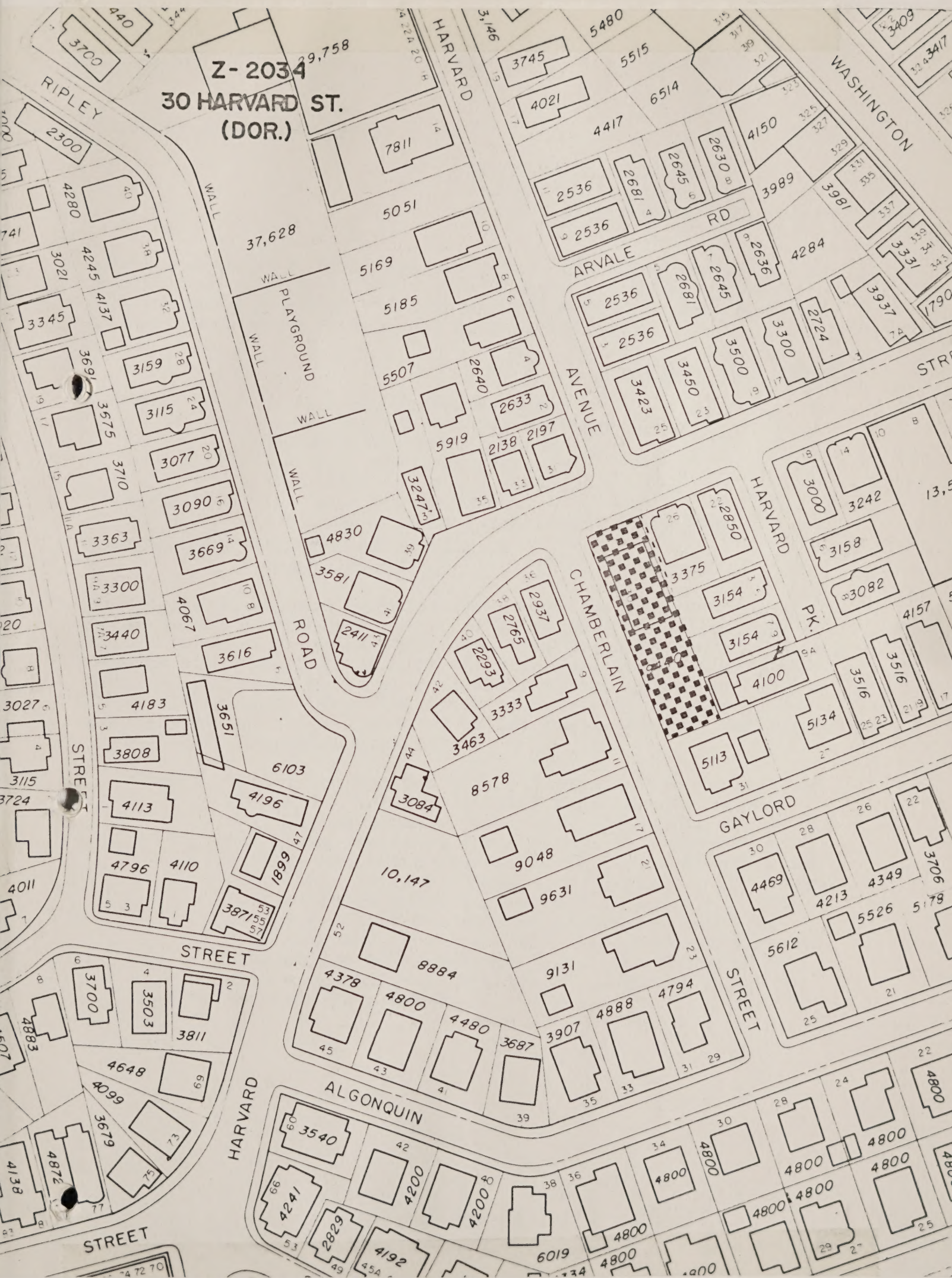
Petition No. Z-2034
Ronald Thompson
30 Harvard Street, Dorchester

Petitioner seeks a conditional use permit for a change of occupancy from a fire house to a day care center and one apartment in a residential (R-.8) district. The proposal would violate the code as follows:

Section 8-7. A day care center is conditional in an R-.8 district.

The property, located on Harvard Street at the intersection of Chamberlain Street, contains a vacant and abandoned two story fire house. The petitioner proposes to convert the first floor and basement to a day care center with accommodations for 50 children. The second floor would be converted into an apartment for the petitioner's family. The proposed rehabilitation of the structure would transform the property from a blight on the neighborhood into a community asset. Recommend approval.

VOTED: That in connection with Petition No. Z-2034, brought by Ronald Thompson, 30 Harvard Street, Dorchester, for a conditional use permit for a change of occupancy from a fire house to a day care center and one apartment in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. The proposed rehabilitation of the vacant and abandoned structure would transform the property from a blight on the neighborhood into a community asset.



Z-2034
29,758
30 HARVARD ST.
(DOR.)

37,628

PLAYGROUND

ROAD

HARVARD

ARVALE

AVENUE

WASHINGTON

HARVARD

GAYLORD

ALGONQUIN

HARVARD

STREET

STREET

Board of Appeal 10/22/70

Petition No. Z-2036
Joseph T. Flaherty
267-269 Main Street, Charlestown

Petitioner seeks a forbidden use permit and three variances for a change of occupancy from a retail store and three apartments to five apartments and store in a local business (L-1) district. The proposal would violate the code as follows:

| | <u>Req'd</u> | <u>Proposed</u> |
|---|--------------|-----------------|
| Section 8-7. A dwelling converted for more families and not meeting one-half the requirements of lot area and open space is forbidden in an L-1 district. | | |
| Section 14-2. Lot area for additional dwelling unit is insufficient 1000s.f/du | | 0 |
| Section 23-1. Off Street parking is insufficient. | 5 spaces | 0 |

The property, located on Main Street near the intersection of Salem Street in the Charlestown Urban Renewal area, contains a vacant three story brick structure. The proposed conversion is reasonable. Rehabilitation of the structure would enhance the property and would serve as a stimulus to the renovation of the north side of Main Street which is now seriously blighted. The property is within proximity of public transportation and shopping facilities. Recommend approval.

VOTED: That in connection with Petition Z-2036, brought by Joseph T. Flaherty, 267-269 Main Street, in the Charlestown Urban Renewal Area, forbidden use permit and three variances for a change of occupancy from a store and three apartments to five apartments and store in a local business (L-1) district, the Boston Redevelopment Authority recommends approval. The proposed conversion and rehabilitation would be desirable and consistent with the objectives of the Charlestown Urban Renewal Plan. The property is within proximity of both public transportation and shopping facilities.



2558 Z-2036
257-269 MAIN ST.
(CHA)S
75,887

CLARENCE R. EDWARDS
JR. HIGH SCHOOL

MAIN
TRANSIT

2555

30,750 2554

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MAIN

SALEM
(ELEVATED)

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MEMORANDUM

October 22, 1970

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: John D. Warner, Director

SUBJECT: TEXT AMENDMENT APPLICATION NO. 19; MAP
AMENDMENT APPLICATION NO. 108.

In October of 1969 I appointed a Back Bay Task Force to make recommendations regarding the future of the Back Bay. The Task Force made its recommendations in April. The major recommendation of the Report concerned limiting building heights to 90 feet on both sides of Beacon Street, Marlborough Street, Commonwealth Avenue and Newbury Street from Arlington Street to Charlesgate East, except along both sides of Massachusetts Avenue, where heights up to 120 feet would be permitted.

The Mayor concurs in this recommendation and he has submitted text and map amendments to implement this recommendation. The proposed Text Amendment establishes three new zoning districts: H-5-70, B-4-70 and B-8-120. In each case the final number indicates a height limit at the front cornice line. In the H-5-70 and B-4-70 districts additional height to 90 feet is allowed, if the additional height is stepped back from the front cornice line at an angle of 60 degrees.

The dimensional regulations for the new H-5-70 and B-4-70 districts recognize existing building patterns in the Back Bay by requiring front yards twenty feet in depth, but allowing bay windows, as defined, to project into front yards.

The amendment also strikes out Section 15-4 of the Zoning Code, which allows floor area ratio bonuses for large lot sizes. This bonus encourages the assembly of standard sized lots and the demolition of existing buildings for new ones with a higher floor area ratio. The bonus applies only to the H-5 district (residential Back Bay) where it is in direct conflict with the objectives of conservation and rehabilitation of existing structures.

The map amendment changes the present H-5 district (residential Back Bay) to an H-5-70 district; it maps the B-4-70 district along both sides of Newbury Street east of Massachusetts Avenue; and it maps the B-8-120 district along both sides of Massachusetts Avenue, from Back Street to a point between Newbury and Boylston Streets.

MEMORANDUM

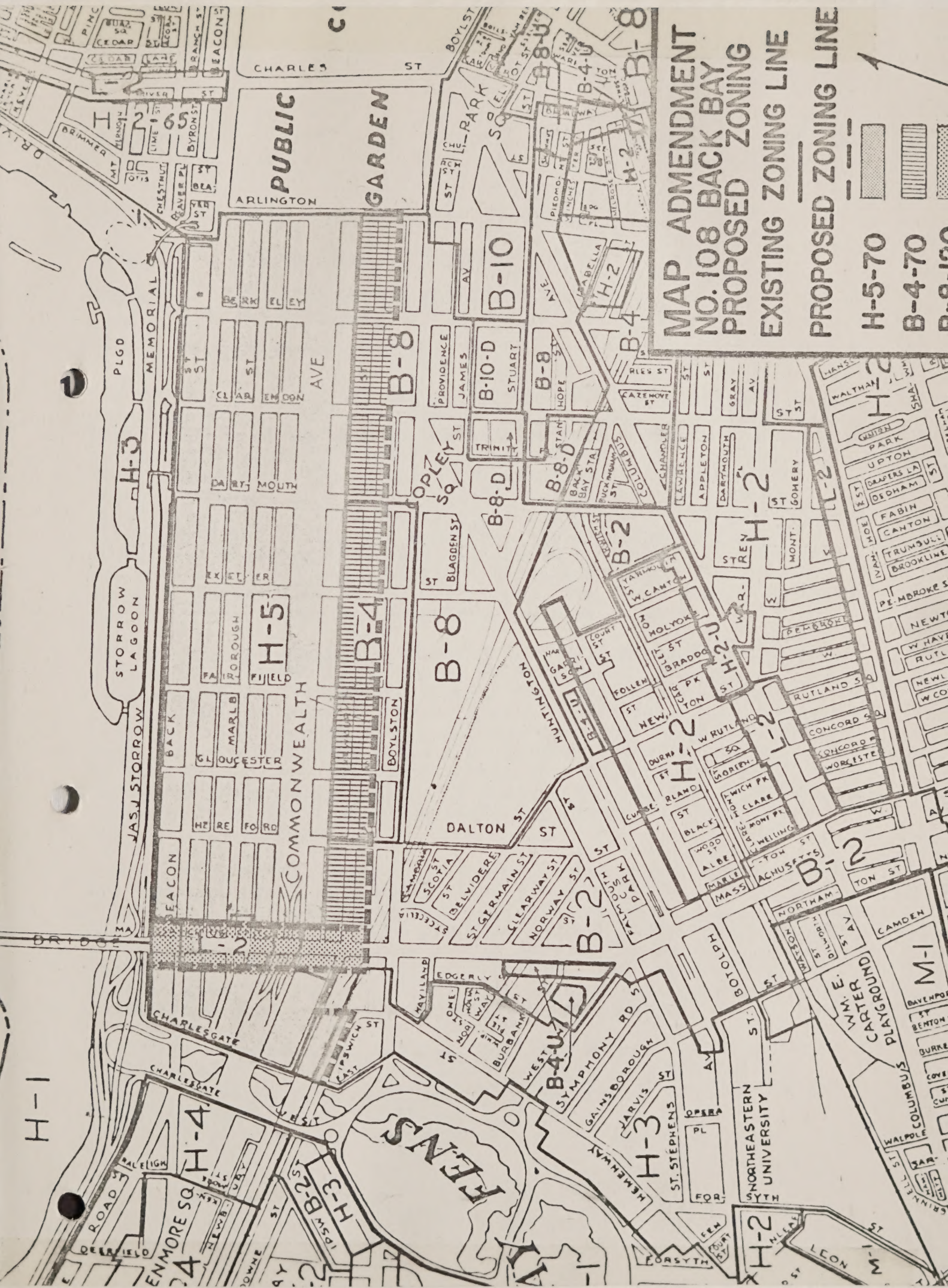
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A majority of Back Bay residents who attended a public meeting on the subject last June overwhelmingly supported the proposed new zoning. I earnestly recommend that the Authority approve the proposed map and text amendment for the following reasons:

1. A firm and uniform height regulation will put an end to speculation in properties for possible high rise development.
2. The new zoning package will encourage rehabilitation of existing properties.
3. The proposed zoning has the support of the residential neighborhood, the Back Bay Architectural Commission, the Neighborhood Association of the Back Bay, and the Landmarks Commission.
4. The proposed height restrictions will preserve the unique architectural scale of the Back Bay.

VOTED: That in regard to Text Amendment Application No. 19, which establishes new zoning districts H-5-70, B-4-70 and B-8-120 and defines the dimensional requirements of such districts, and further strikes out Section 15-4 Increase in Floor Area Ratio for Large Lots in H-5 Districts, the Boston Redevelopment Authority recommends that the amendment be adopted by the Zoning Commission; and further

VOTED: That in regard to Map Application No. 108, which maps the new districts, the Boston Redevelopment Authority recommends that the amendment be adopted by the Zoning Commission.



MAP AMENDMENT
NO. 108 BACK BAY
PROPOSED ZONING
EXISTING ZONING LINE
PROPOSED ZONING LINE

- H-5-70
- B-4-70
- B-8-100

MEMORANDUM

October 22, 1970

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: John D. Warner, Director

SUBJECT: MAP AMENDMENT APPLICATION NO. 106
NEW ENGLAND HOSPITAL

1 The New England Hospital has petitioned the Zoning Commission to establish a B-2 (general business) zoning district in the Jamaica Plain section of Boston, on the east side of Columbus Avenue, and on the north and south sides of Dimock Street, as shown on the accompanying map. The tract of land contains approximately 9.2 acres, exclusive of streets. It is now zoned R-3 (general residence) and H-1 (apartments). It abuts a B-1 (general business) district to the south; the opposite side of Columbus Avenue is zoned M-1 (manufacturing) and L-1 (local business). To the north and east is an H-1 (apartment) district containing the Academy Homes development and private housing. The tract itself contains the New England Hospital complex and a fire station.

The New England Hospital, formerly the New England Hospital for Women and Children, is no longer an in-patient hospital. Operating under the name of Dimock Community Health Center, it has shifted its emphasis to outpatient health services, vocational training in the health field, and day care and child development programs. The hospital seeks a B (general business) designation to eliminate the necessity of seeking conditional use permit or variances in connection with the clinic, the child care center, and some auxiliary services. The staff recommends approval of a B district designation.

The staff does not, however, recommend a floor area ratio of two. A floor area ratio of 1 would allow 372,400 square feet of gross floor area, or three and a half times the present gross floor area. The hospital has no present plans for future buildings. If, due to unforeseen circumstances, all or part of the property should change hands and be developed for business uses with an FAR of 2, the impact in terms of traffic generation and the neighboring residential district would be difficult to forecast.

The staff, therefore, recommends that the land be rezoned B-1, rather than B-2. If, in the future, high rise buildings are contemplated, a variance could be sought for relief from the B-1 height restriction of 40 feet.

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VOTED: That in connection with Map Amendment Application No. 106, brought by the New England Hospital to change parts of R-.8 and H-1 districts to a B-2 district, in the Jamaica Plain section of Boston, the Boston Redevelopment Authority recommends that the Zoning Commission grant a B-1 district instead of the B-2 district requested. A floor area ratio of one would allow the health center a total of approximately 372,000 square feet, which is more than three times the present floor area ratio.